

SPEECH

OF

HON. M. J. WELLBORN,

OF GEORGIA,

ON THE

MEASURES OF COMPROMISE.

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DELIVERED IN THE HOUSE OF REPRESENTATIVES, JUNE 14, 1850

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HON. W. J. WELLS

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The House being in Committee of the Whole on the state of the Union, on the President's Message transmitting the Constitution of California, Mr. WELLBORN said—

Mr. CHAIRMAN: It may be remembered that at an early stage of this debate I submitted to the Committee, as a mode of settling the issues in hand, the revival and extension to the Pacific ocean, of the Missouri compromise line, with such a modification of its terms as would have brought it to bear the same relation in effect to the subject of slavery in our present territories as it bore to it in the Territories of Louisiana and Texas on the several occasions of its application to them, with the exception of that portion of California which lies north of  $36^{\circ} 30'$ . In respect to the latter section, my proposition was to leave it subject to the lately adopted constitution of California, with a view to her admission into the Union. The leading idea was, the prohibition of African slavery, north, and the express recognition of it, south, of the parallel indicated, to the Pacific. I propose to offer now some arguments additional to those hitherto urged in behalf of that scheme of adjustment.

It is to me, sir, a matter of regret, that the plan under notice has not been kept more distinctly in view during the protracted struggles of the session. That it has not been more generally urged by Representatives from the slaveholding States, has been owing, as I think, to the hope entertained by them that some other mode might be substituted for it which would meet with less opposition, and at the same time prove acceptable to the nation at large. This motive, then, I submit, but the more strongly recommends the plan, now that all other methods proposed have failed to give the desired satisfaction.

As the constitutional authority of this Government to prohibit slavery in the public territories, involved in the passage of the Missouri compromise line, has been generally denied by the slaveholding States, and that denial is now made the foundation of actual opposition to some extent, a brief reference to that subject would seem to be demanded. In alluding to it, however, I propose, rather to bring forward those aspects of the question



of jurisdiction in which opposing opinions have been, on former occasions, blended in legislation founded on the affirmative of it, than to extend the vast train of argumentation which has been drawn out in the effort to reach a satisfactory solution of it.

Two separate sources have been relied on by those who affirm that the power in view exists. It is by many supposed to rest on the grant to Congress, of the authority "to make all needful rules and regulations respecting the territory, or other public property belonging to the United States." It is sufficient for our present purpose to remark here, that able and well informed minds who have stood for years on this clause as the source of plenipotent political authority, on a closer scrutiny of the context with which the power to pass "rules and regulations" is connected—a more cautious study of the probable import of these somewhat equivocal terms, "rules and regulations," as they are related in the Constitution, and a more comprehensive survey of the relation of the States to the general subject of public or common territory on the adoption of the Constitution, *have abandoned it*. Others see in the power to acquire, hold and dispose of, the unrestrained power of governing. They see in it that broad authority by which the Congress may do with their acquisitions *as they will*: and statesmen are not wanting, who, pursuing, as they suppose, a process of fair reasoning, reach the conclusion that certain limitations on the powers of Congress usually regarded as universal, such as the disability to establish a national religion, to give out titles of nobility, etc., have respect only to the action of Congress within the States and territory on hand when the Constitution was adopted, and that in respect to subsequently accruing territorial acquisitions this Government stands in the relation of a *simple despotism*. But to recur from this extreme of opinion: it is alleged by more moderate reasoners, that the power to acquire includes those general powers of government, of which that to prohibit slavery is but a particular. The reasoning runs somewhat thus:

When this Government became the assignee by conquest and purchase of California and New Mexico, what, relative to these provinces it is inquired, was embraced in the transfer? Did we receive but the title to the soil, and Mexico retain in the whole or in part, the right to govern? Are we not agreed that we acquired these Territories in all their attributes and susceptibilities, political as well as territorial? Does the power of self-government inhere by the law of nature, or otherwise, in the provinces themselves? It is deemed by many a sufficient answer to that to say, that we are discussing *political* and not *natural* rights: *We have conquered and purchased them*. But may not certain of the greater proprietary rights, the authority for example, to give them the outlines of political organization, reside in this Government, and the right to regulate their more immediately municipal affairs including the regulation of labor, remain in them? This



interrogatory is replied to by the inquiry, *Who divided the attributes of government between us and them?* In what map of political geography shall we trace the boundary line between our power to acquire, hold, and settle California or New Mexico, and the power of California or New Mexico to dictate to us the terms and conditions on, and in which, we can alone acquire, hold, or settle them? Again: the individual citizens of the several States cannot, as an aggregate mass, govern these Territories. The States cannot, separately, nor in simple convention, govern them.

In some one or the other of the views thus briefly pointed to in these enquiries, perhaps a majority of the people of the Union have been accustomed to claim plenary political government over the Territories, and on three several occasions—under protest and by compromise, however—the precise act of interdicting slavery in portions of them has been executed by the concurrence of the different branches of the General Government.

On the other hand, it has been urged with a zeal certainly as honest, and I must think with a stronger display of justice, that a power not expressly granted in the Constitution to this Government, cannot be rightly implied, or inferred, by virtue of it, *in precise opposition to its principles and spirit*, as this is believed to be. Is it allowable to search the general grants of power in the Constitution in quest of a latent or incidental faculty, which, put forth, proves to be at variance alike with the relations of the parties to the instrument, the objects of their union, and the observance of the most common place ideas of justice and equality among them? Especially, is it insisted that it cannot be said to be, in any just sense of the term, “constitutional” for the Federal Government to hamper or abridge the enjoyment of rights of property of the citizens of the States, secured to them by the laws of their States respectively, and guarantied by the fundamental law of its own being. Such, it so happens, is slavery as it stands related to both the laws of the slaveholding States and the Constitution of the United States. And must it not be conceded, on all sides, that if such a power have found way into the Constitution it can only have been conveyed thither as an unobserved ingredient of a main power, having not the remotest designed bearing on the point in controversy, and never revolved in the thoughts of the framers of the Government in connection with such an exercise of it? Could it be, then, satisfactorily shown to be an involved or resulting power or faculty in our hands, so gross a perversion of it to purposes of injustice as would be its universal application to our common territories, would not only justify, but demand, the sternest resistance.

I have thus but pointed to the leading sources of the diversity in judgment that has ever existed on this mooted point. Multiplied and involved, as investigation has only proved it to be, in its windings, as were the labyrinths of old, unlike them it seems to have no sure clue to an escape. It is related, Mr.



Chairman, that when Alexander the Great found himself unable to disentangle the knot which the kingly Gordius tied in the harness of his chariot as the test of the skill of him who, by oracular interpretation, was to be the future conquerer of the world, he cut it asunder with his sword, and thus advanced on the objects of his grand contemplations. Let us, like others who have preceded us here, avoiding the errors of his ambition, profit by the courage and wisdom of this example.

Nor am I able to perceive any great weight in that standing charge of inconsistency with which we are assailed, for disputing in argument the constitutional authority of Congress to prohibit slavery, and yet consenting to the passage of the Missouri compromise line. Is it incomprehensible that we should feel justified in drawing arguments from well founded doubts as to the existence of a power against an extortionate and oppressive use of it, and, availing ourselves of the authority of the history of legislation, be at the same time willing to unite with its advocates in such an application of it as will subserve at once the public justice and the demands of a great public emergency? Wise and good men it seems, have on occasions heretofore borne this criticism. And now, one word more, sir, as to the effect of the line, on the supposition that the denial of the right to pass it should be well founded. Obviously it would be this, that south of the line the act passed here would take effect in protecting the slave holder, *because passed in execution of the constitution*, while north of it, it could not harm him, because, *as being opposed to the constitution*, it would be simply *null and void*. Argument can scarce make this proposition plainer: for if the constitution, *ex proprio vigore*, convey slavery into these territories, the argument is manifestly but the stronger for the passage of legislation here, to secure the convenient use of it there, while no law of this Congress proposing to abridge a right guaranteed by the constitution can have any validity. Nor could such a discovery justifiably excite any other feeling than that of universal regret that a large portion of the citizens of the country had not been supplied with legal remedies and social securities commensurate with their fundamental rights.

It is thus seen that I totally disagree with certain reasoners who insist that the power of this government to protect the institution of slavery in the territories, involves with it either by necessary connexion or rational analogy, the power to prohibit it there. On the contrary, the power of government to prohibit it, in the premises, so far from being in its nature the counter part of, or logically connected with, the power to protect it, would be more aptly described as its opposite. The two may, like other dissimilar powers, co-exist in the same hands, but can be by no means dependent on each other.

One other objection to this mode is, that it would be a harsh use of power on the part of this Government, to repeal existing



laws, if such there be, in these territories, prohibitory of slavery therein, or otherwise to interfere with the policy in this respect, present or future, of the inhabitants of them. Is not this objection rather plausible than substantial? On what principle of public law, or of public justice, sir, can the Mexican inhabitants of these provinces claim to exclude our institutions and forms of labor? I repeat it in no sense of idle triumph or levity—we *have conquered and purchased them*. And what, after all, is the nature and extent of the proposed interference with them? It is, in effect, that in order to accommodate and serve certain conflicting interests among the proprietors of these domains, a particular form of labor be forbidden to enter certain portions of them and permitted to enter certain other portions of them, until the occasion for the formation of State Constitutions shall arrive—that period when general causes shall have matured their judgments respectively as to their more permanent wants—at which time the whole subject is, by the plan proposed, to pass into their own hands exclusively. Would it not be a stretch of sensibility itself to persevere in this objection? And I must insist that the duty in this particular goes along with the right. Justly, humanely, as I hope we shall act on this, on all occasions, it must still remain true that the first and highest obligation we owe is to the great body of the people of this Confederacy in whom the true and substantial ownership of these territorial possessions lies.

Perhaps the most inveterate objection to this plan is, that its application would divide the boundaries of California. And why, sir, is it, that the reception of California without terms, into the Union, should be deemed irresistible? Is there an overwhelming necessity upon us to admit her, and without terms? It has ever been agreed to by the most zealous defenders of popular sovereignty, that the supervision, by this Government, of the boundaries of territorial applicants for membership in the Confederacy is, in all circumstances, but the performance of a plain duty. On the contrary, to admit California in her present circumstances with the modification proposed, even, is, manifestly, in the exercise of a discretionary authority *to waive great irregularities in her procedure*. Meaning no disrespect to her, she can only be received on her present motion, by the generous forbearance of the Government. And, sir, all the sources of that just jealousy of large States which has ever characterized the lesser ones, exist in the vast and various monopolies embraced in the assumed limits of this youthful and ambitious aspirant. National reasons come in to argue for a curtailment of them—and, sectionally regarded, how easily may not the non-slaveholding States meet the policy of the South in this particular. They would certainly seem to believe that the effect of the partition proposed by this line would be to throw a majority of chances for an additional free State into their hands. To the



South it would, however, extend the benefit of all those reasons which are common to the Confederacy, and will, sectionally, confer upon her an opportunity regarded as justly demandable, and a right of value to her, of having the question of the suitableness to slave labor of the southern portion of California more deliberately tested than it has been. And with all due deference to contrary opinions, I cannot think that any arguments drawn from the simple inconvenience of it to California, and postponement to the Confederacy of those advantages anticipated from her immediate presence in it, ought to prevail against the mode of procedure now suggested to the committee. Indeed, it may be well argued, that the proposed subjection of the bold, unprecedented, and hitherto unchecked movements of California to the controlling jurisdiction of this Government in the manner proposed, while it will be free from all just imputation of harshness, may be not without a certain salutary effect upon that sense of respect among the territories and people of the Union for a necessary public authority, the importance of which but increases with the extension and variety of the interests and objects of Government.

I pass now, Mr. Chairman, from the defence of this measure against certain prevalent objections, to the presentation of a few of the leading arguments which have occurred to my mind in its behalf.

Coming as it does from the slaveholding States, it has a strong claim on the justice of the non-slaveholding States. Not to enlarge on a plain point, it is settled by the map that it tenders the latter not only much the largest share of the property in dispute, but it assigns them a share very disproportionate to their greater numbers as compared with those of the slaveholding States—that share, too, it may be added, which includes the most fruitful known sources of commerce, wealth, and population. Indeed, it would seem scarcely allowable to predicate of cupidity itself, that it could go in quest of a plan of settlement fraught with more extensive prospects of selfish aggrandizement and gain.

Sir, the proofs of existing, I fear, of increasing distrust and alienation between the two classes of States that are now vainly seeking some common path of progress and peace in the threatening future, sufficiently admonish us of the value of some such mode of settlement, as, in view of certain prevalent qualities of human nature, is the precise one now in view. In 1820 a similar contest involving then, as now, reciprocal jealousies of political sectional predominance, the same active animosity to slavery and alarms for both the security of the latter and the duration of the Union, which now exist, were merged in the remedy it is now proposed to adopt. We are acting for the present, sir, on the theory of a continuance of the Union—a Union so intricate and involved as to be capable of being perpetuated alone by a cement in which, whatever may be said of the cohesive power of the grosser interests, sentiments of brotherhood and attachment must,



on known laws of the human mind, enter as component parts. The soldier remembers with affection and love his associate in arms, by their common participation in alike the perils and the deliverances of the battle field. If we shall bear the burdens with which we are again oppressed to this, now national neutral ground of thirty-six degrees thirty minutes, may it not have a certain effect for good in our future intercourse to have thus revived in this connection the memories of 1820? *There is a certain moral appropriateness in the proffered remedy to present evils.*

The re-assertion of this line will, in the nature of it, tend to check the progress of that headlong, unrelenting, and, it may be added, unfeeling spirit of evil which, whether we denominate it by one or another name, is the source of our present perplexities. It will in some degree *stun* Abolitionism, to arrest it at the precise point to which it had advanced thirty years ago and force it to feel, if feel it can, sir, that on full stretch of its present power it is not able to pass it. And what a triumph for honorable minds who are reluctantly pushed forward, on the representative principle, in a line of political conduct here it were strange it were not as unpleasant for them to pursue as it is injurious to the prosperity and harmony of the Union that it be pursued, to find that they have courage and strength to escape a responsibility for possible disasters which their ancestors, under similar temptation and pressure, dared not incur. In the precise degree and for the same reasons the re-affirmance of this line will have the important effect of restoring, in a good degree, the wavering confidence of the South in the justice of this Government and her ultimate security in the Union. Is it likely that we shall, by another mode, furnish her so satisfactory proof that her relative strength in the councils and defences of this Government *is not being diminished by the lapse of time?* I press the inquiry on those who, secure themselves, may be less capacitated to comprehend how others can be in danger, who, situated to fear no harm, may regard all fears of others as groundless, if it be not their sacred duty as it is their plain interest, to thus dispel, if possible, the grave apprehensions of one section and the distractions of the whole country?

This method has lesser advantages which should not be overlooked. It has the desirable qualities of simplicity and invariability. It requires little beyond the simple extension through a few degrees of latitude of one of its parallels already deeply scored in the history of the Republic—one, the recorded testimony of which can never be obliterated however human passions may beat upon it—and which, if it cannot stay the aggressive tide of Abolitionism, can at least measure its progress and mark its ravages and its responsibilities. Again, sir, so far as it is possible *to fix contemplated results* by any plan within the compass of our power, it may be affirmed of this method that it possesses that faculty. Though an act of legislation in its technical nature



it has to some extent, the moral attributes and sanctions of a contract. Viewed in this complex relation, it will serve to assure us, as best we may be assured, that what is designed by it relative to the condition of coming States will in due time transpire. It would have strength to pervade those vague and common-place sentiments of opposition to, or regret of, slavery, which really can be hardly said to be peculiar to any one, much less to any section, and would probably be held to in the future by all except those anomalous few who, with ostensible consistency, betake themselves to the highest and holiest conceivable source of human obligations, the Bible, to cover the most startling infidelity to engagements. Adopting it, then, may we not hope that the States, slave, or non-slaveholding, which may be evolved from these Territories by the lapse of time, will be received into the Confederacy on their application in terms of the Constitution, with no considerable opposition.

This compromise *is now presented by the South*—the numerically weaker and only endangered section. It is the offering of a patriotic and enlightened body of men recently assembled to consider of it and its alternatives in one of our leading cities, Nashville. It is shadowed forth, in not to be mistaken terms, in the pending debates. And I must beg permission of the Committee here to lay before them the sense on this point of a meeting of the people in a primary assembly in the city of Columbus, Georgia, a few days ago. Among certain resolutions adopted at that meeting I find the following: "That in the compromise on the Missouri line, solemnly made between the North and the South thirty years ago, the South surrendered her right to hold slave property north of 36 deg. 30 min.—that she is content to abide by that line, extended to the Pacific, but will take no less." I leave out of view other matters embraced in these resolutions as being not material to the issue before us. It can scarcely be important to guard the Committee against what would be an erroneous reading of the resolution cited. The members of this meeting comprehended better what was due to themselves than to send to this Committee the apparent dictation of arbitrary terms. Hence it is not said by them that they will take nothing else than the Missouri compromise line. The language is they "will take nothing less." The fair construction, as I take it, is, that it was the sense of that meeting that the South is not in circumstances to be able to acquiesce in a settlement less favorable to her than would be the Missouri compromise line re-applied. And now, Mr. Chairman, as reluctant as I feel to allude in complimentary terms to the virtues of any constituent of mine, I must take occasion to say that among the names subscribed to that resolution, are to be found those of three gentlemen who, in the two Houses of this Congress, have given to the country an order of talents and a degree of devotion to the prosperity and harmony of the Union which have brought them to be known and respected through-



out the States of it, while in respect to them all (for it so happens, sir, that I can speak with some confidence on this point;) no equal number of citizens elsewhere can be found to excel them in a just comprehension of the duties we all owe to a common government. I have said, sir, that this compromise is offered now by the weaker party; shall it be construed to provoke the resentments of pride? It is rather to the more honorable emotions of that sentiment I now appeal, confessing that it is with some mortification that I feel constrained to remind the force of numbers that it is a high prerogative of theirs to be able, justice and moderation in view, to consult the terms of minorities. And I know of no act by which this Committee could more usefully to the Union, not to say more gracefully to themselves, attest that careful and considerate respect for both the rights and apprehensions of the exposed States—so befitting the times—than to promptly accede to this hitherto twice approved and now as ever moderate demand in behalf of the South. Will we not thus proceed to execute our duty, so long delayed, to our dependent provinces and merge the disputes which are being so warmly, not to say harshly, waged over all those measures which have been hitherto suggested for the same purpose? Especially, will those to whom it is seen to be so favorable—to whose acceptance it is tendered—and on whose will its fate depends—incur the responsibility of rejecting it?

I have not, Mr. Chairman, overlooked the fact that this mode of settlement leaves out of view the pending contest touching the boundary line of the present State of Texas and New Mexico. I propose, for several reasons, to enter now a little into that subject. Both the bill of the Senate—reported by its lately raised Committee of Thirteen—and that presented to this House by the able and public spirited Chairman of the Committee on Foreign Relations, (Mr. McCLEARNAND,) provides for the affirmance to New Mexico, *Texas consenting*, of not only her capital and native settlements, but embrace an additional cession of territory by Texas to this Government, in consideration of a certain pecuniary equivalent to be paid in the extinguishment of certain debts of Texas. This proposed cession of territory is a measure which meets with much opposition from the South. I am not insensible, sir, of the delicacy of our relations to the creditors of Texas, more especially to that class of them who held pledges of Texas at the date of annexation, of the taxes derivable from her customs, which, by her incorporation into this Union, were transferred to us. And I am free to add that I shall cheerfully unite with others of the Committee in any proper effort that may be made to provide for that class of claims. Nay, I will go further, speaking for myself alone on this point and concurring with what was so properly said by the honorable member from Tennessee, (Mr. STANTON,) in opposition to so extensive a cession by Texas of her territory, add, that if the general character



of any adjustment we may make shall be of a kind to mete out justice to the South, I shall feel something akin to surprise should she prove untractable in the matter of preserving to the ancient and now dependent province of New Mexico her capital and contiguous native settlements. Indeed, holding the consent of Texas in view always—and with the connected object of disembarassing the honor and good faith of a nation not only able to be just but bound to sedulously guard its good name—I am free to say that should the exactions or intolerance of the non-slaveholding States coerce the slaveholding States into an extreme tenacity in respect of the threatened deprivation of New Mexico of her capital and contiguous settlements with a view to what they may deem paramount consideration of self-security, I can but reason that a heavier weight of responsibility will rest upon those who could have averted it. It would be more acceptable, then, doubtless, to the South generally, that any payments we may feel called on to make the creditors of Texas, in view of our interposition between them and the resources to which they looked before annexation—now lost to them—rest on other grounds than the conveyance by her to us of the large portion of her territory proposed to be made. Sir, I take pleasure in announcing that I regard the simple matter of a few millions of money, be they more or less, as little, compared with the great and absorbing issues in hand—public justice—justice to others—justice to ourselves—and the final pacification, if it be practicable, of all complaints. Fanaticism and its guilt and folly expired, sir, and the once more concentrated genius and energies of the American people bent in united hopes on the elaboration of their stupendous resources, no mere pecuniary item in any just settlement we may make can, by the intensest degree of the nation's sensibility to expense, be felt. We can, too, well trust the security lying in the valuable and increasing products, and to be felt in the beatings of the warm and American heart, of Texas, for re-payment in the swelling ratio of an “hundred-fold,” for any amount which circumstances may render it proper for us to expend in this connexion—while the generous caution, not to say magnanimity of the nation, will have been handsomely illustrated by a suitable general adjustment of all these kindred topics in which the particular provisions touching the claims of the creditors of Texas and the preservation from final overthrow of an old and subdued province which the fortunes of war have placed in our power, shall be embraced. It will be seen, however, that I refer guardedly to these delicate topics—sufficiently distrustful of any suggestions of mine respecting them—to the Committee. I part from this feature in our public affairs with the confident hope, however, that if we shall succeed in applying the terms of the Missouri Compromise line to the territories west of the Rio Grande and disposing of the general subjects on hand in other respects suitably, we shall find the adjustment of the now threatening



boundary question on terms satisfactory to all and creditable to the nation itself—not impracticable.

It is useless, Mr. Chairman, to repeat, that in the present posture of the public affairs, the different sections must be prepared to make respective sacrifices. The South, on the proposed basis, repeats the waiver of an opinion which, whether well or ill-founded, concerns a substantial and highly important claim. Would it not be remarkable that she were not sanguine of her right—constitutional and otherwise—to go with her accustomed property into all parts of the public domain of the Union? She waives this right, on the basis now proposed, let it be remembered, and at a cost to her—all things considered—vastly disproportionate to any gain that can accrue to others by her loss of it. It may be possibly inconvenient for, or, in a certain sense repugnant to, white labor to mingle on the same theatre with slave labor—on the other hand, the privilege of expansion is, in its nature, vital perhaps to the existence, certainly to the prosperity and the security of the South. Yet, sir, the opinion has been expressed within a few days past by well informed members of this Committee, that the Wilmot Proviso or principle of the universal interdiction, by express mandate of this House, of slavery in all the territories on hand, will be enacted the present session. The principle of the universal restriction of slaves to the same area in the bosom of the States holding them, to be asserted as a rule or postulate of Federal Councils! I ask that the import and stress of such a proposition be deliberately weighed. Had it been acted upon from the beginning of the present Government only, in what a perilous if not ruinous strait, would not the more central slave-holding States of the Confederacy be this day predicamented. And, sir, it has been said, in justification of the policy now threatening us of the universal territorial restriction of slavery, that, without it the slaveholding States will be tempted to endanger the peace and character of the nation *with a view to extending the area of slave labor as an object*. It has been objected, I am aware, by grave and reflecting statesmen of the North, that the free States are now being forcibly rendered, from time to time, *but subsidiary to the extension of slavery*. I bring the argument with less reluctance into review, for really, sir, I am conscious that such an opinion is honestly entertained, North, by many, and because I am not unconscious that there is a certain show of plausibility in it. Will gentlemen who urge this complaint view the subject from another point of observation? There is more truth and utility, I apprehend, in the following presentation of it. That the dread of the *anti-slavery encroachments of the North* may have, in historical instances, contributed to set in motion the instincts of the self-preservation of the institution and brought them to put forth their secret energies to escape the threatening grasp of a dreaded and lawless assailant, is too rational to be incredible. I know not, no one can know, exactly how that has been. But it is



plain that spasmodic and involuntary irruptions of the institution on contiguous territories must under stress of threatened confinement be the natural expressions of the laws of its self-preservation—the only means, indeed, of escape from evils it is not in the power of human courage to deliberately confront. And who, sir, is, or is to be responsible for this ; and what, sir, is the proper and practicable remedy for the uneasy and so much complained of movement southward and westward of the institution ? Let the Government of the Confederacy cease its unnatural war upon it and restore confidence in its security by taking it, to the extent of any power it has over it, under its protection and care, as it is, on the plainest principles of duty and interest, bound to do. This done, sir, and we shall cease to hear of wars gotten up at the South *to propagate slavery*. I press this view on the counsels of Northern statesmen.

But to recur, sir, to the threatened Proviso. I shall not affect to believe that it will pass this body, even. Should it do so, however, it cannot fail to sink still lower the tone of Southern confidence in the justice and self-control of this Government, and embarrass, yet more, well intended efforts to bring the public dissensions to a favorable solution. Should it, contrary to all hopes, become the law of the land, *my desire will be to see those resolutions which have been so unanimously passed by the slaveholding States to resist it put into complete and final execution*. Can it be expected that the slaveholding States of this Union will submit to such action on the part of their common government as not only degrades them from an original historical and a still conventional equality in it, but which in possible not to say probable contingencies, will be substantially impracticable from the very nature of its terms ? Repeal, or immediate resistance, at all hazards, should be the prompt and distinct reception, South, as it seems to me, of such a measure.

Sir, may we not hope that we shall have no such unjust and proscriptive procedure, as would be this Proviso ; and that henceforth it will be remembered by the nation only with condemnation for the dissensions and mischief the appearance of it has already produced, and with a stern consciousness that it has been determinately and forever banished from the councils of the Government ? This point made, sir, and it remains for the justice, the wisdom, not to say a certain timely caution, of numerical majorities, to adopt measures of adjustment suited to the various exigencies of the public affairs. There can be no exclusive claim, certainly, upon us of any one mode of reaching desired results. Is there another than the one under notice, which, while it will approximate justice, and give satisfaction to half the States of the Union, will exact less onerous terms of the residue ? If so, we owe it to each other to adopt it at once. I can but fear that neither of the alternatives now in view is likely to prove to be such a measure.



And here, sir, it may be allowable to remark, that to act wisely, we must bear in thought for whom we are to act, and on what we are to act. Respect being had to the robust and high sense of rights we are accustomed to regard as a flattering characteristic of the people of these States—respect being had to the voluntary and unconstrained nature of their Union, at once its chief value and greatest ornament, we shall comprehend how it is that *the very worst settlement of this sectional controversy, capable of being enforced, is that which would be with the greatest reluctance endured.* We should bear in mind that alienation by a law of the human mind, follows on distrust and the sense of danger—and that alienation, final and complete—is the simple dissolution of the Union. And if, in the natural world, the strongest chord is broken by the parting of the several fibres of which it is composed, and the leaves are freshly green on the branches of the tree, the root of which is cut by the fatal worm, we should be the more distrustful of that testimony, touching our true relations as confederates, which is furnished by the clumsy tests of occasional prejudiced or superficial observations. Sources of union so strictly intellectual and moral in their nature, may be sapped and dissolved, we may reason, by covert and stealthy causes which the profoundest philosophy can only detect, but cannot with accuracy estimate. But our case is consolable.

We hear it said that we may “part in peace,”—and so we may, sir. But *will* we, sir, part in peace? Shall those who have proved themselves incapable of enjoying, in union, the most consummate prosperity and happiness ever allotted to a people since the birth of history, dissevered, endure in harmony and quiet, a thousand points of hourly and trying contact? No, sir; separated, the sword, looking to probabilities, will be at once the arbiter of justice and the punisher of wrong. And we have, too, sir, nicely balanced estimates of our comparative powers of harming each other in a state of angry separation. Aye, sir, we are all, North, South, East and West, sufficiently potent for evil. Beyond a doubt, we may contrive to greatly damage each other. Let us have the manliness and courage to not deceive ourselves. If we are, indeed, losing our present central point of political gravity, to swing off into new orbits of movement, without desiring in the slightest degree to exaggerate the importance of our relations to other nations, or to indulge the vain and mawkish sentimentality that the cause of free institutions is to become extinct as a consequence of any suicidal folly of ours, it may be affirmed that Christendom will feel the shocks of our dismemberment, and the passing shadows of the fragments of the Union fall on the disk of the political dial in every civilized embraced within it.

If the object, then, be to *perpetuate* the Union, in which we have so eminently and so happily prospered, it is the familiar dictate of common prudence to study *its exposed points*, and in lieu of testing its powers of endurance by presuming on the patience of its



members, to strengthen their cohesion by conforming our action, as best we justly may, to their will. And if, too, the ideas of the age of human accountability be not all a fallacy, sir—if there be any thing in memory worth being preserved, or in the prospects of the future which belongs to hope—if it be desirable to press on in tried and prospering ways rather than diverge into unknown and perilous paths—if unparalleled prosperity be preferable to novel, not to say portentous, experiments; feeling, sir, as I hope I do, a proper share of responsibility for whatever transpires here, I must say, that there can be no folly more stupendous than we shall have displayed—and, I am tempted to add, no guilt greater than will have been perpetrated in our failure to effect a just and satisfactory determination of the existing issues. And does it not become those who—not to indulge reproaches—have brought into the government the element which is endangering it, and with whom circumstances have peculiarly lodged the remedy, to look well to the vast train of inexorable consequences and connected responsibilities which, in the event of the dissolution of the Union, lie in the revealings of the future history of the States which now compose it? It was well exclaimed, sir, by an able and eloquent member of this Committee, (Mr. Toombs, of Geo.) in discussing the mighty theme of the continuance or dissolution of this Union, on a previous day of our sittings, “When the day of retribution comes, let the aggressor tremble.” But, sir, I cannot but turn to more encouraging views of the future fortunes of our Republic. It is our duty, sir, to hope that the sense of the nation will rise above the mists which, for the present, obscure its reckonings, and quieting well-founded complaints, by removing the cause of them, recover its course of prosperity and peace.